

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

|                           |   |                   |
|---------------------------|---|-------------------|
| UNITED STATES OF AMERICA, | ) |                   |
|                           | ) |                   |
| v.                        | ) | 1:14-cr-306-GBL-6 |
|                           | ) |                   |
| OMAR DE JESUS CASTILLO,   | ) |                   |
| Defendant.                | ) |                   |
| _____                     | ) |                   |

**MOTION TO CONTINUE TRIAL**

COMES NOW your defendant OMAR DE JESUS CASTILLO, by counsel, and moves this Honorable Court to continue the trial in this matter, currently scheduled to start on March 21, 2016, and in support thereof, states as follows:

1. On February 16, 2016, the Government released a new batch of discovery materials that consisted of approximately 1,000 recorded jail phone calls from at least four of the defendants in this case. These phone calls appear to have been recorded in 2014, and the Government produced them to defense counsel on 20 compact discs.
2. In communications with defense counsel, the Government stated that it only came into possession of these calls on the evening of February 12, 2016.
3. On February 19, 2016, the Government informed defense counsel that they will provide summary translations from FBI linguists for approximately half of the jail calls.
4. Defense counsel has not yet had an opportunity to listen to the phone calls, but expects that they will be almost entirely in Spanish, and will likely contain a mixture of inculpatory and exculpatory information.

5. Defense counsel cannot reasonably expect to be able to listen to the phone calls in order to use them at trial before the trial begins in approximately one month. For example, if the calls average three minutes in length, then it will take 50 hours just to listen to the phone calls straight through. Defense counsel will likely require translation and transcription of the calls in order to understand their content and possibly use them at trial.
6. From counsel's prior experience, it usually takes at least three to five times the length of the recording for a professional to translate and transcribe phone calls of this nature. Based on counsel's prior experience with recorded jail calls, the calls are also likely to be of poor quality and contain a significant amount of non-standard slang, which would increase the time it would take to make the calls usable by defense counsel.
7. Further, defense counsel have been working with several professionals to have the 7,000 phone calls that were initially produced in this case translated and transcribed, but the work on those calls is not yet finished. Defense counsel and their interpreters have not even gotten through all of the calls that the Government initially identified as "relevant," let alone the calls that defense counsel must independently investigate.
8. The Court has denied counsels' previous requests to order the Government to produce any transcripts they have of these calls to assist the defense in this monumental task.
9. In addition to the massive amount of calls to process, counsel still expects to expend significant resources prior to trial in normal preparations and review of

still-unreleased information from the Government regarding its witnesses and exhibits.

10. If defense counsel is not able to review all of the discovery materials in a meaningful manner, then they may not be able to afford their clients effective assistance of counsel.

WHEREFORE, your defendant OMAR DEJESUS CASTILLO respectfully requests that this Honorable Court continue the trial currently set for March 21, 2016 so that all defense counsel may have an opportunity to conduct a meaningful review of all of the discovery in this case, including the approximately 1,000 calls that were just released.

Dated: February 22, 2015

Respectfully Submitted,  
OMAR DE JESUS CASTILLO  
By Counsel

/s/ Meredith M. Ralls  
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*Counsel for Defendant Omar Dejesus Castillo*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 22, 2016 the foregoing Motion was electronically filed with the Clerk of Court's CM/ECF system, which then generates a Notice of Electronic Filing (NEF) to all counsel of record in this matter.

/s/ Meredith M. Ralls

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